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JC542 U.S. PTO  
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## McGREGOR & ADLER, LLP

P.O. BOX 710509  
HOUSTON, TEXAS 77271-0509

WRITER'S DIRECT DIAL  
(713)-777-2321  
WRITER'S DIRECT FACS.  
(713)-777-6908  
E MAIL: badler1@houston.rr.com

INTELLECTUAL PROPERTY LAW  
(PATENT, BIOTECHNOLOGY, COMPUTER,  
TRADEMARK & TRADE SECRET LAW)

Docket No.: D6070CIP

The Assistant Commissioner of Patents And Trademarks

### BOX PATENT APPLICATION

Washington, DC 20231

Dear Sir:

Transmitted herewith for filing is the non-provisional patent in the:

Name of: Curiel & Krasnykh

For: *Modified Adenovirus Containing a Fiber Replacement Protein*

### CLAIMS AS FILED

Fee for:	Small entity	Amount
Basic fee	\$ 345	\$ 345
Each independent claim in excess of 3 (0)		
Each claim excess of 20 (0)		
Multiple dependent claim		
	TOTAL FILING FEE	\$ 345

Enclosed is check for \$345

Please charge my Deposit Account No. \_\_\_\_\_ in the total  
amount of the filing fee and the assignment recordation fee if any.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1185.

Any additional fees under 37 CFR 1.16.

Any application processing fees under 37 CFR 1.17.

Small Entity Statement

A small entity statement is enclosed and its benefit under 37 CFR 1.28(a) is hereby claimed.

Relate Back--35 U.S.C. 120

This continuation-in-part application claims benefit of U.S. application Serial No. 09/250,580 filed February 16, 1999, which claims benefit of U.S. provisional application Serial No. 60/074,844 filed February 17, 1998, now abandoned.

Assignment

The application is assigned by the inventors to the UAB Research Foundation. The assignment, Recordation Form Cover Sheet and the \$40 fee is enclosed.

Sequence Listing

A Sequence Listing along with a Sequence Compliance Statement and a computer readable form of the Sequence Listing is enclosed.

Power of Attorney

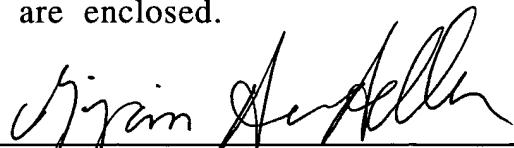
is attached.

Address all future communications to:

Benjamin Aaron Adler  
McGREGOR & ADLER, LLP.  
8011 Candle Lane,  
Houston TX 77071  
(713) 777-2321

Two photocopies of this sheet are enclosed.

Date: 7/10/00

  
\_\_\_\_\_  
Benjamin Aaron Adler, Ph.D., J.D.  
Agent for Applicant  
Registration No. 35,423



07-11-00

A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Curiel & Krasnykh

§ GROUP ART UNIT:

FILED: July 10, 2000

§ EXAMINER:

SERIAL NO.:

§ DOCKET: D6070CIP

FOR: Modified Adenovirus Containing  
A Fiber Replacement Protein

**CERTIFICATE OF MAILING BY EXPRESS MAIL UNDER 37 CFR 1.10**

Assistant Commissioner of Patents and Trademarks  
BOX NON-PROVISIONAL PATENT APPLICATION  
Washington, D.C. 20231

Dear Sir:

I hereby certify that the following documents, which are attached, are being deposited, under 37 CFR 1.10, with the United States Postal Service "Express Mail Post Office to Addressee" service as Express Mail No. EL559421302US in an envelope addressed to: The Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231, BOX NON-PROVISIONAL PATENT APPLICATION.

- 1) Continuation-in-part application including 48 pages of specification, 4 pages of claims and 14 sheets of drawings;
- 2) Sequence Listing, Compliance Statement & CRF disk
- 3) Transmittal letter;
- 4) Small Entity Status Form;
- 5) (2) Two Combined Declarations and Power of Attorney;
- 6) Filing fee (\$345) and return postcard.

Please return the enclosed postcard acknowledging receipt of this correspondence.

Respectfully submitted,

Benjamin Aaron Adler, Ph.D., J.D.  
Registration No. 35,423

Date: 7/10/00

McGREGOR & ADLER, LLP  
8011 Candle Lane  
Houston, Texas 77071  
(713) 777-2321

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07/10/00

Applicant or Patentee Curiel & Krasnykh

Serial or Patent No. 6070CIP

Filed or Issued: July 10, 2000

For: Modified Adenovirus Containing a Fiber Replacement Protein

Attorney's  
Docket No.: 6070CIP

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(c)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official of the nonprofit organization empowered to act on behalf of the concern identified below:

NAME OF ORGANIZATION University of Alabama at Birmingham Research Foundation  
ADDRESS OF CONCERN 701 20th Street South, Birmingham, AL 35294-0011

University or other institution of higher education

I hereby declare that the above identified nonprofit organization qualifies as a nonprofit organization as defined in 37 CFR 1.9(e), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization identified above with regard to the invention, entitled as above

by inventor(s) as above  
described in:

the specification filed herewith  
 application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
 patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME

ADDRESS

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

David Day

TITLE OF PERSON OTHER THAN OWNER

Director

SIGNATURE

David L. Day

DATE

7-10-2000